

UNITED STATES DISTRICT COURT

for the

District of Columbia

DM 8/6/24

United States of America

v.

David Pracht, (DOB: XXXXXXXXX)

Kiera Pracht, (DOB: XXXXXXXXX)

) Case: 1:24-mj-00239

) Assigned To : Judge Zia M. Faruqui

) Assign. Date : 8/5/2024

) Description: COMPLAINT W/ARREST WARRANT

) Ar No. 24-3291MJ

Defendant(s)

CRIMINAL COMPLAINT

SEALED

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 6, 2021 in the county of _____ in the
 _____ in the District of Columbia, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;
 18 U.S.C. § 1752(a)(2) - Knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions,
 40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building or Grounds,
 40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building.

This criminal complaint is based on these facts:

See attached statement of facts.

☒ Continued on the attached sheet.

Complainant's signature

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
 by telephone.

Date: 08/05/2024

2024.08.05
 13:41:59
 -04'00'

Judge's signature

City and state: Washington, D.C.

Zia M. Faruqui, U.S. Magistrate Judge
 Printed name and title

Case: 1:24-mj-00239

Assigned To : Judge Zia M. Faruqui

Assign. Date : 8/5/2024

Description: COMPLAINT W/ARREST WARRANT

STATEMENT OF FACTS

Your affiant [REDACTED], is a Special Agent assigned to Federal Bureau of Investigation Phoenix Division. In my duties as a special agent, I investigate Domestic Terrorism threats to include matters Racially Motivated Violent Extremism (RMVE), Anti-Government, Anti-Authority Violent Extremism (AGAAVE), and other domestic threats which do not fall within RMVE or AGAAVE. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there. Two of the individuals who were inside the Capitol without authority to be there have been identified as KIERA PRACHT (“K. PRACHT”) and DAVID PRACHT (“D. PRACHT”) of Phoenix, Arizona.

Identification of Kiera and David Pracht

Pursuant to a search warrant served on AT&T seeking information regarding devices present within the U.S. Capitol building on January 6, 2021 between 1:00 p.m. and 6:30 p.m., a cellphone associated with XXX-XXX-4289¹ was identified as having utilized a cell site consistent with providing service to a geographic area that included the interior of the United States Capitol building. According to records obtained from AT&T, I learned that phone number XXX-XXX-4289 is attributed to K. PRACHT. K. PRACHT’s device was identified within the restricted area for approximately 44 minutes, from 2:18 p.m. to 3:03 p.m.

On or about January 11, 2021, a member of the public provided the FBI with an online tip containing a screenshot of a Facebook posting. The tipster included the following information: “The screen shot is a post on Facebook of someone I know who was at the Capitol building to protest and got inside. It is directly from her Facebook and her husband Dave Prachet [sic] was with her.” Through open-source database checks, I confirmed that K. PRACHT is married to D. PRACHT. The tipster provided the following Facebook screenshot (Figure 1):



Figure 1: Facebook post authored by K. PRACHT and provided by a tipster.

¹ The full phone number is known to the FBI.

On or about January 27, 2021 an anonymous individual submitted an online tip to the FBI National Threat Operations Center with information regarding the events at the U.S. Capitol on January 6, 2021. The tipster populated the "Subject Information" field with "Kiera Jones Pracht" and provided the following information: "Person was at rally Jan 6 Facebook post now deleted. Stating was there on the steps and pushed into capitol with crowd. Says has photos." The tipster populated the "How is Contact Known" field with "Facebook post."

I identified K. PRACHT's publicly available Facebook account (UID 629913575), which has the username "Kiera Jones Pracht." On January 5, 2021, K. PRACHT posted a photo of herself with D. PRACHT and two other individuals seated on an airplane. In the photo, K. PRACHT wore a red "Make America Great Again" hat. The caption of the photo read, "DC....here we come!! #StopTheSteal #Trump2020 #4moreyears." (Figure 2). On January 6, 2021, K. PRACHT posted several more photos of herself and her husband, D. PRACHT, at the "Stop The Steal Rally" in Washington D.C.. In one of the photos, D. PRACHT is wearing a dark colored hooded sweatshirt with the words "INDICT THE BIG GUY" printed in large white letters on the front (Figure 3).





Figures 2 + 3: Facebook posts authored by K. PRACHT, which included photographs of K. PRACHT (circled in red) and D. PRACHT (circled in yellow) en route to D.C. (top photo), and D. PRACHT standing in front of the Washington Monument on January 6 (bottom photo).

On January 6, K. PRACHT wore what appears to be the same red “Make America Great Again” ball cap, a black sweatshirt, and red, white, and blue scarf resembling the American flag (Figure 4). In Figure 4, D. PRACHT is standing behind K. PRACHT, who was wearing his “Indict the Big Guy” sweatshirt.

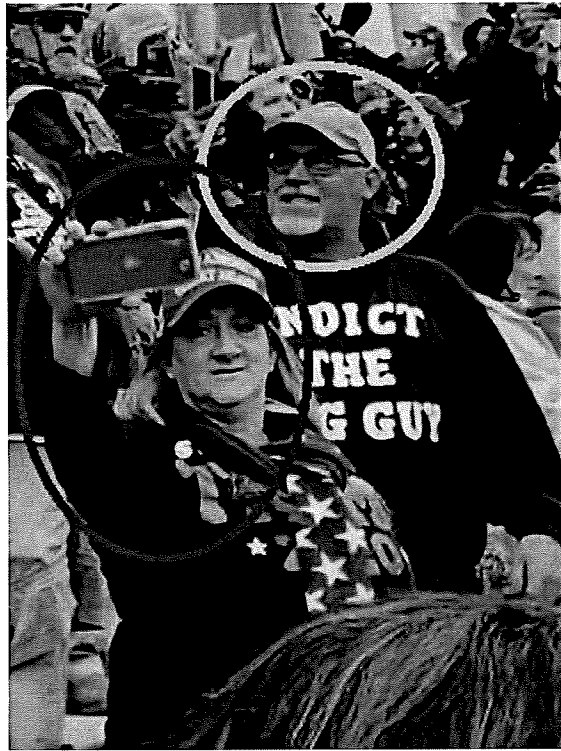


Figure 4: Screenshot from an open-source video depicting K. PRACHT (circled in red) and D. PRACHT (circled in yellow) on the East Rotunda Steps.

On September 7, 2021 a search warrant was obtained for K. PRACHT's Facebook account. Among the items seized from the account were the following: photographs showing images taken in and around Washington, D.C. on January 6, 2021; location data showing logins from January 4, 2021 to January 8, 2021 that show that K. PRACHT traveled from Georgia to Baltimore, MD to Washington, D.C. to Baltimore, MD to the area of Chicago, IL; descriptions of K. PRACHT and D. PRACHT's activities in late 2020 into early 2021, including that the couple moved to from Illinois to Arizona in November 2020 and that the couple flew from Georgia to Baltimore, Maryland on January 5, 2021.

On September 22, 2021 a search warrant was obtained for the Google Account kierapracht@gmail.com, which FBI identified as associated with K. PRACHT based on information Google produced in response to a subpoena. Among the items seized from the account were the following: searches between December 2020 and January 2021 for topics including flights to and from Washington, D.C.; Washington Reagan Airport; hotel addresses near Washington, D.C.; car rentals from Baltimore, Maryland; and YouTube video views of the U.S. Capitol Riot. In addition, the account contained maps indicating travel in and around Washington, D.C. on January 6, 2021 as well as location data consistent with travel to Washington, D.C. on January 6, 2021.

On March 4, 2022, I interviewed Individual 1—a colleague who knew D. PRACHT for over a year and saw him in person on numerous occasions—who identified D. PRACHT at the U.S.

Capitol and verified his employment. Individual 1 recalled that D. PRACHT recently had moved to Phoenix with his wife. Individual 1 provided copies of D. PRACHT's Illinois Driver's License, Social Security Card, and Employment Eligibility Verification that D. PRACHT submitted for employment. Individual 1 positively identified D. PRACHT at the U.S. Capitol in Figure 5 below.



Figure 5: Photograph of D. PRACHT shown to Individual 1.

Finally, I compared a current Arizona driver's license photographs of K. PRACHT and D. PRACHT with CCTV and open-source footage from the U.S. Capitol and grounds, and based on my review, I believe they are the same people.

Kiera and David Pracht's Conduct on January 6, 2021

A review of surveillance video captured from inside the U.S. Capitol on January 6, 2021, revealed that both K. PRACHT and D. PRACHT entered the U.S. Capitol through the East Rotunda Doors at approximately 2:43 p.m. (Figure 6), barelling through a bottleneck of rioters and past U.S. Capitol Police officers. The East Rotunda Doors were first breached at approximately 2:20 p.m. after a struggle over these doors between officers and rioters. Officers were able to secure the doors, but a second breach occurred at approximately 2:38 p.m. In Figure 5, K. PRACHT appears to be holding a cell phone in a manner consistent with photographing or filming as she breached the Capitol.



Figure 6: K. PRACHT (circled in red) and D. PRACHT (circled in yellow) entering the U.S. Capitol through the East Rotunda Doors at 2:43 p.m.

After the PRACHTS breached the East Rotunda doors, they entered the Rotunda approximately one minute later. The PRACHTS are seen on CCTV walking around the Rotunda, as K. PRACHT filmed or photographed on her phone (Figure 7). CCTV also captured D. PRACHT raising his fists in celebration as he entered the Rotunda (Figure 8). At approximately 2:45:51 p.m., K. PRACHT is seen on CCTV using the scarf draped around her neck to cover her mouth and nose. Seconds later, D. PRACHT removed a black mask from his pocket and put it on his face. The PRACHTS remained in the Rotunda for approximately three minutes. The couple then exited through a doorway on the perimeter of the Rotunda.

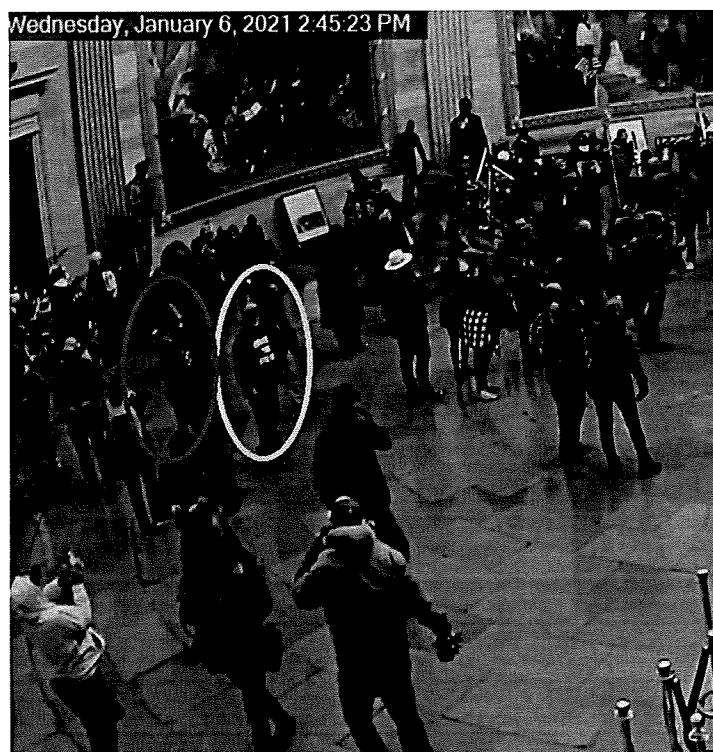


Figure 7: K. PRACHT (circled in red) raising a cell phone and D. PRACHT (circled in yellow) inside the Rotunda on January 6 at approximately 2:45 p.m.



Figure 8: D. PRACT (circled in yellow) raising his fists in celebration inside the Rotunda on January 6 at approximately 2:45 p.m.

Metropolitan Police Department Body-worn camera ("BWC") footage then showed K. PRACT and D. PRACT at approximately 2:51 p.m. near the Old Senate Chamber. On BWC, K. PRACT is observed shouting at a line of MPD officers, yelling "This is our house!" D. PRACT is seen directly behind her (Figure 9).



Figure 9: K. PRACHT (circled in red) and D. PRACHT (circled in yellow) face-to-face with a police line in the Old Senate Chamber at approximately 2:51 p.m.

The PRACHTS exited the U.S. Capitol through the East Rotunda Doors at approximately 3:04 p.m (Figure 10). They had been inside the U.S. Capitol for approximately 21 minutes.

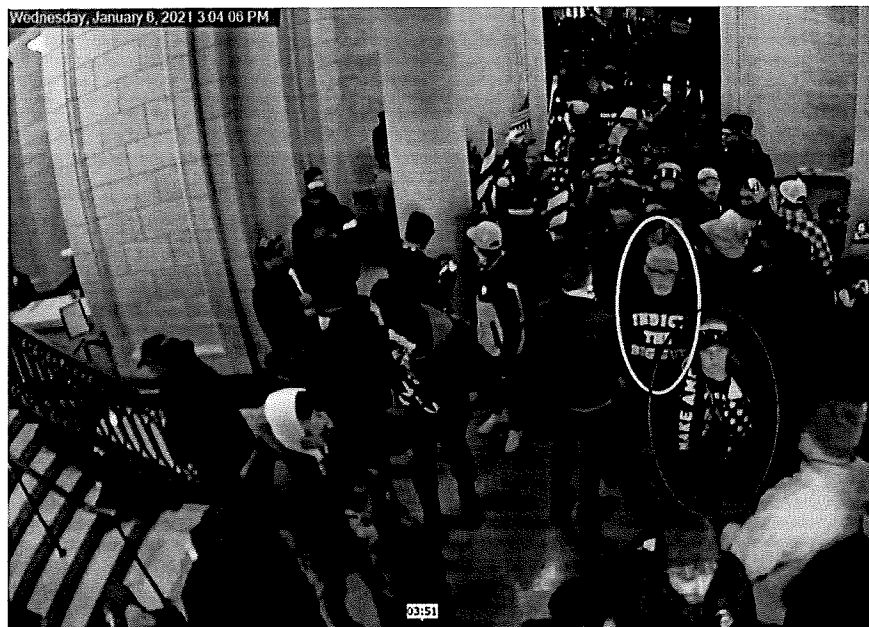


Figure 10: D. PRACHT (circled in yellow) and K. PRACHT (circled in red) exiting the Capitol at approximately 3:04 p.m.

Open-source footage captured D. PRACTH on the East Rotunda steps scrolling through a cell phone and showing K. PRACTH the cell phone screen (Figure 11).

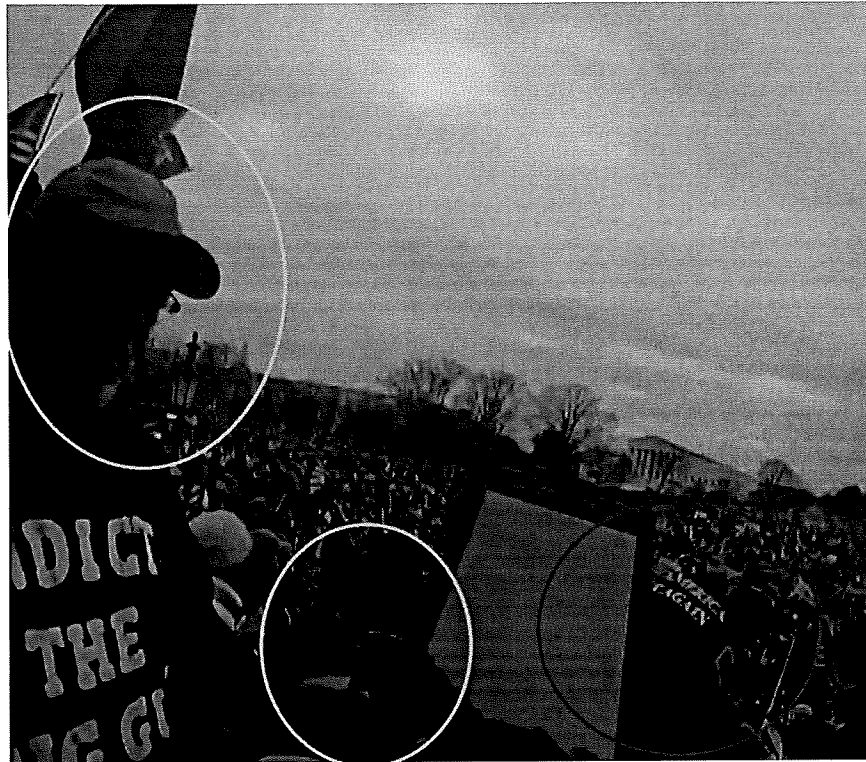


Figure 11: Still of open-source video showing D. PRACTH (circled in yellow) displaying a cell phone to K. PRACTH (circled in red).

Based on the foregoing, your affiant submits that there is probable cause to believe that KIERA PRACTH and DAVID PRACTH violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that KIERA PRACTH and DAVID PRACTH violated 40 U.S.C. § 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of

Congress or either House of Congress; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



SPECIAL AGENT [REDACTED]
FEDERAL BUREAU OF INVESTIGATION

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1
by telephone, this 5th day of August 2024.

 2024.08.05
13:39:41
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U.S. MAGISTRATE JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

v.

DAVID AND KIERA PRACHT

Defendant.

Case: 1:24-mj-00239

Assigned To : Judge Zia M. Faruqi

Assign. Date : 8/5/2024

Description: COMPLAINT W/ARREST WARRANT

VIOLATIONS:

**18 U.S.C. § 1752(a)(1)- Entering and
Remaining in a Restricted Building or
Grounds**

**18 U.S.C. § 1752(a)(2)- Disorderly and
Disruptive Conduct in a Restricted
Building or Grounds**

**40 U.S.C. § 5104(e)(2)(D)- Disorderly
Conduct in a Capitol Building**

**40 U.S.C. § 5104(e)(2)(G)- Parading,
Picketing, and Demonstrating in a Capitol
Building**

ORDER

This matter having come before the Court pursuant to the application of the United States to seal criminal complaint, the Court finds that, because of such reasonable grounds to believe the disclosure will result in flight from prosecution, destruction of or tampering with evidence, intimidation of potential witnesses, and serious jeopardy to the investigation, the United States has established that a compelling governmental interest exists to justify the requested sealing.

1. IT IS THEREFORE ORDERED that the application is hereby GRANTED, and that the affidavit in support of criminal complaint and other related materials, the instant application to seal, and this Order are sealed until the arrest warrant is executed.

2. IT IS FURTHER ORDERED that the Clerk's office shall delay any entry on the public docket of the arrest warrant until it is executed.

Date: August 5, 2024

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HONORABLE ZIA M. FARUQUI
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

David Pracht

Defendant

) Case: 1:24-mj-00239
) Assigned To : Judge Zia M. Faruqui
) Assign. Date : 8/5/2024
) Description: COMPLAINT W/ARREST WARRANT
)
)

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
 (name of person to be arrested) David Pracht,
 who is accused of an offense or violation based on the following document filed with the court:

☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;
 18 U.S.C. § 1752(a)(2) - Knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions,
 40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building or Grounds,
 40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building,

Date: 08/05/2024

2024.08.05
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*Issuing officer's signature*City and state: Washington, D.C.Zia M. Faruqui, U.S. Magistrate Judge*Printed name and title*

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
 at (city and state) _____.

Date: _____

*Arresting officer's signature**Printed name and title*

UNITED STATES DISTRICT COURT

for the

District of Columbia

United States of America

v.

Kiera Pracht

Defendant

) Case: 1:24-mj-00239
) Assigned To : Judge Zia M. Faruqui
) Assign. Date : 8/5/2024
) Description: COMPLAINT W/ARREST WARRANT
)

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay*(name of person to be arrested)* Kiera Pracht,

who is accused of an offense or violation based on the following document filed with the court:

☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 1752(a)(1) - Knowingly Entering or Remaining in any Restricted Building or Grounds Without Lawful Authority;
 18 U.S.C. § 1752(a)(2) - Knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions,
 40 U.S.C. § 5104(e)(2)(D) - Disorderly Conduct in a Capitol Building or Grounds,
 40 U.S.C. § 5104(e)(2)(G) - Parading, Demonstrating, or Picketing in a Capitol Building,

Date: 08/05/2024

2024.08.05
 13:38:13
 04'00'

*Issuing officer's signature*City and state: Washington, D.C.Zia M. Faruqui, U.S. Magistrate Judge*Printed name and title*

Return

This warrant was received on *(date)* _____, and the person was arrested on *(date)* _____
 at *(city and state)* _____.

Date: _____

*Arresting officer's signature**Printed name and title*